

Tuesday, September 28, 1976

## Senate

## Chamber Action

*Routine Proceedings, pages 32805-33008*

**Bills Introduced:** One bill and one resolution were introduced, as follows: S. 3849; and S. Res. 565.

*Pages 32805-32817, 33007*

**Bills Reported:** Reports were made as follows:

H.R. 11891, to authorize the establishment of the Congaree Swamp National Preserve in South Carolina, with an amendment (S. Rept. 94-1311);

Special report of Committee on Appropriations entitled "Allocation to Subcommittees of Budget Totals from the Second Concurrent Resolution on the Budget for fiscal year 1977" (S. Rept. 94-1312);

Conference Report on S. 2981, authorizing funds for the Indian Claims Commission for fiscal year 1977 (S. Rept. 94-1313);

H.R. 12207, to correct unintended inequities in the interest rate criteria for borrowers from the Rural Electrification Administration, with an amendment (S. Rept. 94-1314);

S. Res. 565, stating the sense of the Senate in opposition to reduction of disaster payments made to farmers under the Agriculture and Consumer Protection Act of 1973 (S. Rept. 94-1315);

H. Con. Res. 737, calling for U.S. foreign and domestic policies designed to combat hunger and to improve nutrition (S. Rept. 94-1316);

H.R. 1142, to provide a special deduction in computing the income of a cemetery "perpetual care fund," with amendments (S. Rept. 94-1317);

H.R. 1144, to amend the Internal Revenue Code with respect to the tax treatment of social clubs, with amendments (S. Rept. 94-1318);

H.R. 7228, to permit the use of means other than stamps on containers of distilled spirits as evidence of tax payment, with amendments (S. Rept. 94-1319);

H.R. 8046, to provide that the rental value of a parsonage furnished to the surviving spouse of a minister shall be excluded from gross income, with an amendment (S. Rept. 94-1320);

H.R. 10101, to exempt aircraft museums from the manufacturers' and retailers' taxes on gasoline and special fuels used for the museums' aircraft, with amendments (S. Rept. 94-1321);

H.R. 14886, increasing from \$1 million to \$3 million funds available for purpose of Presidential and Vice Presidential transition (S. Rept. 94-1322);

H.R. 14451, to permit the donation of Federal surplus personal property to the States and local governments

for public purposes, with amendments (S. Res. 94-1323);

H.R. 11347, to authorize conveyance of certain lands in Salt Lake County, Utah, to the Shriners' Hospitals for Crippled Children, with an amendment (S. Rept. 94-1324);

H.R. 1244, to correct certain deficiencies relating to the security and protection of the President, Vice President, and their families, and other persons whom the Secret Service is directed to protect, with an amendment (S. Rept. 94-1325);

H.R. 13828, to strengthen the authority of the Administrator of General Services with respect to records management by Federal agencies, with amendments (S. Rept. 94-1326);

Conference report on H.R. 13350, authorizing funds for the Energy Research and Development Administration for fiscal year 1977 (S. Rept. 94-1327);

H.R. 14773, to make certain changes in the Retired Serviceman's Family Protection Plan and the Survivor Benefit Plan, with an amendment (S. Rept. 94-1328);

S. Res. 563, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 14886, Presidential transition amendments (S. Rept. 94-1329);

S. Res. 552, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 10073, to provide for the mandatory inspection of domesticated rabbits slaughtered for human consumption (S. Rept. 94-1330);

S. Res. 560, waiving section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 14360, authorizing funds for repairs of the John F. Kennedy Center (S. Rept. 94-1331);

S. 3181, to extend until September 30, 1979, Title XII of the Merchant Marine Act relating to war risk insurance (S. Rept. 94-1332); and

H.R. 12939, to amend certain laws affecting personnel of the Coast Guard, with an amendment (S. Rept. 94-1333).

*Pages 33007-33008*

## Measures Passed:

**Supplemental Appropriations:** Senate passed and returned to the House H.J. Res. 1096, making appropriations for the Department of Defense for repair and replacement of typhoon-damaged facilities on Guam, after agreeing to committee amendments en bloc and, by 63 yeas to 14 nays, Bellmon unprinted amendment No. 487, appropriating \$500 million for the Postal Service fund for the period July 1, 1976-September 30, 1976.

Senate insisted on its amendments, requested conference with the House, and appointed as conferees Senators McClellan, Stennis, Pastore, Inouye, Johnston, Young, Hatfield, Stevens, and Bellmon.

*Pages 32848-32851*

**Congaree Swamp National Preserve:** Senate passed with amendment and returned the House H.R. 11891, to authorize establishment of the Congaree Swamp National Preserve in South Carolina.

Pages 32851-32852

**General George Washington:** Senate passed without amendment and cleared for the President H.J. Res. 519, to provide for the appointment of George Washington to the grade of General of the Armies of the United States (motion to reconsider tabled by 67 yeas to 4 nays).

Pages 32928, 32931-32932

**Rivers and Harbors—Flood Control:** By 78 yeas to 3 nays, Senate passed S. 3823, omnibus rivers and harbors flood control bill, after agreeing to proposed amendments, as follows:

(1) Gravel unprinted amendment No. 488, to delete from the bill (a) funds for Gulf Intracoastal Waterway (Vermillion Lock), (b) funds for replacing Locks and Dam No. 26, Mississippi River, and (c) funds for modification of Gallipolis Locks and Dam project on the Ohio River;

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(2) Thurmond unprinted amendment No. 489, encouraging utilization of practices to extend capacity of dredged material disposal areas;

Page 32900

(3) Metcalf amendment No. 2456, to delete provisions pertaining to Libby Dam, Kootenai River, Montana;

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(4) Bellmon unprinted amendment No. 491, to facilitate approval of projects involved in the desalinization of the Red and Arkansas Rivers;

Page 32902

(5) Gravel unprinted amendment No. 492, to alter regulatory authority with regard to water diversion in the Potomac River;

Page 32902

(6) Gravel unprinted amendment No. 493, to authorize \$12 million for a Phase I study of the Passaic River Basin, New Jersey and New York;

Page 32902

(7) Domenici unprinted amendment No. 494, vesting in the Secretary of Transportation (rather than the Corps of Army Engineers) responsibility for the preparation of all transportation-related benefit calculations on any future water resources project that is proposed by the Secretary of the Army;

Page 32903

(8) Bumpers amendment No. 2327, to clarify the law with regard to construction of the Pine Mountain Lake on Lee Creek, Arkansas and Oklahoma;

Page 32903

(9) Gravel amendment No. 2402, to protect the Gruber Wagon Works in Berks County, Pennsylvania, as a part of the Federal flood control project;

Page 32904

(10) Domenici unprinted amendment No. 495, calling for the utilization of the expertise of the Department

of the Interior in estimating potential recreational benefits; and

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(11) Domenici unprinted amendment No. 496, to require deauthorization of a survey if no funds are expended therefor within four years.

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Pages 32862, 32863-32918

**Whale Protection:** Committee on Commerce was discharged from the further consideration of H.R. 15445, providing for the conservation and protection of whales, and by unanimous vote of 74 yeas, the bill was passed after agreeing to Weicker unprinted amendment No. 497, in the nature of a substitute bill.

Pages 32927-32929

**Surplus Property:** Senate passed with committee amendments and returned to the House H.R. 14451, to permit the donation of Federal surplus personal property to the States and local governments for public purposes.

Page 33011

**Utah Land Conveyance:** Senate passed with committee amendment and returned to the House H.R. 11347, to authorize conveyance of certain lands in Salt Lake County, Utah, to the Shriners' Hospitals for Crippled Children.

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**Secret Service Protection:** Senate passed with committee amendment and returned to the House H.R. 1244, to correct certain deficiencies relating to the security and protection of the President, Vice President, and their families, and other persons whom the Secret Service is directed to protect.

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**Records Management:** Senate passed with committee amendments and returned to the House H.R. 13828, to strengthen the authority of the Administrator of General Services with respect to records management by Federal agencies.

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**Coast Guard Personnel:** Senate passed with committee amendment and returned to the House H.R. 12939, to amend certain laws affecting personnel of the Coast Guard.

Pages 33011-33012

**War Risk Insurance:** Committee on Commerce was discharged from the further consideration of H.R. 1073, to extend until September 30, 1979, Title XII of the Merchant Marine Act relating to war risk insurance, and the bill was then passed after striking all after the enacting clause and inserting in lieu thereof the text of Senate companion measure S. 3181, as reported today.

S. 3181 was then indefinitely postponed.

Page 33012

**Bills Referred:** Several House-passed bills were referred to appropriate Senate committees.

Pages 32848, 32863, 32923

**Bills Placed on Calendar:** Committee on Labor and Public Welfare was discharged from the further con-



sideration of H.R. 14041, railroad retirement amendments, and the bill was placed on the Senate Calendar.

Also, Committee on Commerce was discharged from further consideration of H.R. 5523, fish and wildlife programs; H.R. 5682, Tinicum National Environmental Center; and H.R. 12118, safety board authorizations, and the bills were also placed on the Calendar.

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**Bills Held at Desk:** The following bills were received and ordered to be held at the desk, H.R. 4345, Alaska Lands; and H.R. 12707, a private bill.

**Messages From the House:** Four messages were received from the House:

Pages 32847-32848, 32852, 32862-32863, 32923

**Amendments Submitted for Printing:**

Pages 33008-33010

**Conference Reports Agreed To:**

**Toxic Substances Control:** S. 3149, to protect human health and the environment by requiring testing and necessary use restrictions on certain chemical substances (agreed to by 73 yeas to 6 nays—cleared for the House).

Pages 32852-32859

**Foreign Aid Appropriations:** H.R. 14260, making appropriations for foreign assistance programs for fiscal year 1977 (agreed to by 56 yeas to 24 nays). Senate agreed to House amendments to Senate amendments Nos. 7, 17, 20, 24, and 35—cleared for the President.

Pages 32859-32861

**Indian Claims Commission:** S. 2981, authorizing funds for the Indian Claims Commission for fiscal year 1977—cleared for the President.

Page 32919

**Education:** S. 2657, authorizing funds through fiscal year 1982 for vocational and higher education programs (agreed to by 78 yeas to 3 nays)—cleared for the House.

Pages 32918-32920, 32922-32923

**Bills Cleared for the President:** The following bills were cleared for the President by concurrence of the Senate in the House amendments thereto:

**Weather Modification:** S. 3383, to develop a national weather modification policy (agreed to by unanimous vote of 77 yeas).

Pages 32923-32925

**Private Bill:** S. 3035, a private relief bill.

Page 32925

**Hazardous Materials Transportation:** S. 2991, authorizing funds for carrying out programs dealing with the transportation of hazardous materials.

Page 32926

**Military Real Estate:** S. 3050, to authorize the Secretary of Transportation, when the Coast Guard is not operating as a service in the Navy, to lease for military purposes structures and their associated real property located in a foreign country.

Page 32926

**Foreign Investments:** S. 2839, authorizing the Secretary of Commerce to collect and analyze information on foreign investments in the U.S. and American investments abroad.

Page 32926

**Pacific Islands Fisheries Programs:** S. 1414, making the Trust Territory of the Pacific Islands eligible to participate in certain Federal fisheries programs.

Page 32926

**Wild River:** S. 1506, to designate a segment of the Missouri River, Mont., as a component of the National Wild and Scenic River System to be known as the "Missouri Breaks" (agreed to by unanimous vote of 74 yeas).

Pages 32929-32931

**Natural Gas Pipeline Safety:** Senate agreed to the House amendment to the Senate amendment to H.R. 12168, authorizing funds to strengthen and improve natural gas pipeline safety programs, thus clearing the measure for the President.

Page 33011

**Attorneys' Fees:** Senate continued consideration of S. 2278, to allow a court to award attorneys' fees to a prevailing party in suits brought to enforce certain civil rights acts, rejecting the following amendments:

(1) Allen amendment No. 2385, to delete reference in the bill to Section 1981 of the revised statutes (tabled by 59 yeas to 17 nays);

Page 32926

(2) Scott of Virginia amendment No. 2390, specifying conditions under which attorneys' fees may be paid to a prevailing party in actions under the Civil Rights Act of 1964 or Voting Rights Act of 1965 (tabled by 56 yeas to 15 nays);

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(3) Helms amendment No. 2393, specifying conditions under which attorneys' fees may be paid (tabled by 46 yeas to 14 nays);

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(4) Helms amendment No. 2410, of a technical nature to the bill (tabled by 47 yeas to 11 nays);

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(5) Helms amendment No. 2411, similar to amendment No. 2385 (tabled by 50 yeas to 9 nays);

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Pages 32926-32927, 32929 32932-32934

**Mid-Decade Census:** Senate insisted on its amendment to H.R. 11337, to provide for the taking of a mid-decade population census, agreed to conference with the House, and appointed as conferees Senators Moss, Stone, and Stevens.

Page 32923

**Presidential Message:** Senate received a message from the President reporting an increase by \$36.9 million in a deferral of budget authority for higher education program of the Office of Education, and an increase of \$3.9 million in the deferral of funds for certain military construction—referred to Committee on Appropriations, Armed Services, Budget, and Labor and Public Welfare.

Page 32918

**Presidential Communication:** Senate received a communication from the President requesting supplemental appropriations in the amount of \$5,147,398 for fiscal year 1977 to pay claims and judgments rendered against the United States—referred to Committee on Appropriations and ordered printed as S. Doc. 94-260.

**Unanimous-Consent Agreements:** By unanimous consent Leadership was authorized to call up at any time conference reports on S. 3091, forest management; S. 2212, crime control amendments; H.R. 12572, grain inspection system; and H.R. 11337, mid-decade census.

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**Record Votes:** Fourteen record votes were taken today (total—668).

Pages 32850-32851, 32859, 32861, 32911, 32923, 32924, 32927, 32928, 32930, 32931, 32932, 32933, 32934

**Recess:** Senate met at 8:30 a.m. and recessed at 8:39 p.m.

Pages 33010, 33013

## Committee Meetings

### ALTERNATE FUELS

**Committee on Aeronautical and Space Sciences:** Subcommittee on Aerospace Technology and National Needs continued hearings on the need for NASA to develop new aircraft engine technology to utilize fuels of the future, receiving testimony from Senator Randolph; Monte Canfield, Jr., Director, Energy and Minerals Division, General Accounting Office; Dr. S. William Gouse, Jr., Deputy Assistant Administrator for Fossil Energy, accompanied by Dr. William T. McCormick, Jr., Director, Office of Commercialization, both of the Energy Research and Development Administration; Dr. John P. Longwell, ESSO Research and Engineering Company, Linden, N.J.; and Richard M. Lieber, Standard Oil of Indiana, Chicago.

Hearings were adjourned subject to call.

### APPROPRIATIONS—CONTINUING AND ALLOCATION OF FUNDS

**Committee on Appropriations:** Committee ordered favorably reported with amendments H.J. Res. 1105, to continue certain appropriations through March 31, 1977.

Also, Committee approved a report embodying Committee allocation of funds for programs as prescribed in Section 302(b) of the Congressional Budget Act.

### NOMINATIONS/ARMS CONTROL

**Committee on Foreign Relations:** Committee ordered favorably reported the following nominations: Donley L. Brady, of California, and Allie C. Felder, Jr., of the District of Columbia, each to be a member of the Board of Directors of the Overseas Private Investment Corporation;

Monteagle Stearns, of California, to be Ambassador to the Republic of Ivory Coast;

Wat T. Culverius IV, of Maryland, to be Ambassador to the State of Bahrain;

Edward E. Masters, of Ohio, to be Ambassador to the People's Republic of Bangladesh;

Eugene N. S. Girard II, of Mississippi, to be an Assistant Administrator of the Agency for International Development;

Robert P. Smith, of Virginia, to be Ambassador to the Republic of Ghana;

William D. Rogers, of Virginia, to be United States Alternate Governor of the International Bank for Reconstruction and Development; United States Alternate Governor of the Inter-American Development Bank; and United States Alternate Governor of the Asian Development Bank;

The following-named persons to be United States Representatives and Alternate Representatives to the Nineteenth Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Representatives: John E. Reinhardt, of Maryland; Robert B. Kamm, of Oklahoma; William B. Jones, of California; Sarah Goddard Power, of Michigan; and Clayton Kirkpatrick, of Illinois; and

Alternate Representatives: Arthur K. Solomon, of Massachusetts; Mae Sue Talley, of Arizona; Russell C. Heater, of California; Oscar Padilla, of California; and Dixon R. Harwin, of California; Jack B. Olson, of Wisconsin, to be Ambassador to the Commonwealth of The Bahamas; and

Manuel R. Caldera, of California, to be a member of the Board of Directors of the Inter-American Foundation.

Also, in closed session, committee received testimony from Secretary of State Henry A. Kissinger on S. Con. Res. 161, expressing the objection of the Congress to the proposed sale of missiles to Saudi Arabia.

### EAST RIVER UNIT

**Committee on Interior and Insular Affairs:** Subcommittee on Environment and Land Resources met in closed session, following which it announced that it had approved for release (subject to printing schedule) a report entitled "The Preparation of the East River Unit Plan, Gunnison National Forest, Colorado."

Subcommittee recessed subject to call.

### GRAND JURY SYSTEM

**Committee on the Judiciary:** Subcommittee on Constitutional Rights held hearings on the subject "The Operation of the Grand Jury System," including testimony on S. 3274, to establish certain rules with respect to the appearance of witnesses before grand juries. Witnesses heard were John K. Van de Kamp, District Attorney,



and Carol Welch, Community Relations, Office of the District Attorney, both of Los Angeles; Richard E. Gerstein, Miami, Committee on the Grand Jury, American Bar Association; and Melvin B. Lewis, National Association of Criminal Defense Lawyers, Chicago.

Hearings were recessed subject to call.

#### NOMINATIONS

*Committee on Labor and Public Welfare:* Committee concluded hearings on the nominations of the following-named persons to be Members of the National Science Board, National Science Foundation: Raymond L. Bisplinghoff, of Missouri; Lloyd Miller Cooke, of New York; Herbert D. Doan, of Michigan; John R. Hogness, of Washington; William F. Hueg, Jr., of Minnesota; Marian E. Koshland, of California, and Alexander Rich, of Massachusetts. Testimony was received from Dr. Richard C. Atkinson, Acting Director, National Science Foundation; Dr. Norman Hackerman, Chairman, National Science Board; and the nominees.

Also, Committee concluded hearings on the nomination of Edward Aguirre, of California, to be Commissioner of Education, after the nominee, who was introduced by Senator Cranston and Representative Rhodes, testified and answered questions on his own behalf.

Committee will hold a business meeting tomorrow to consider the above-listed nominations and other committee business.

#### QUALITY OF LIFE

*Committee on Public Works:* Panel on Environmental Science and Technology resumed hearings on the subject: "Choosing Our Environment: Can We Anticipate the Future?", receiving testimony today on EPA, long-range environmental forecasting and public policy from Dr. Wilson Talley, Assistant Administrator for Research and Development, Environmental Protection Agency; and Dr. Robert Sansom, Environmental Research and Technology, Inc., Arlington.

Hearings were recessed subject to call.

#### COMMITTEE FUNDS

*Special Committee on Aging:* On behalf of the Committee the Chairman and the ranking minority member introduced jointly an original resolution (S. Res. 564) requesting an additional \$40,000 for expenses and studies of the Committee for the remainder of this session of the Congress.

#### LEGAL REPRESENTATION

*Special Committee on Aging:* Committee held hearings on the subject "Improving Legal Representation for Older Americans," receiving testimony from Lessie Hill and Rev. R. Alvin Wilson, both of Camden Regional Legal Services, New Jersey; Katherine Ashton, Gloucester,

New Jersey; Margaret Stone Brodsky, American Association of Retired Persons, Washington, D.C.; Eric S. Sirulnik, Institute of Law and Aging, and National Law Center, George Washington University, Washington, D.C.; and William Fry, National Paralegal Institute, Washington, D.C.

Hearings continue tomorrow.

#### COMMITTEE SYSTEM

*Temporary Select Committee To Study Senate Committees:* Committee continued consideration of a proposal to deal with the Senate committee jurisdictional problem, but did not complete action thereon and will meet again tomorrow.

## House of Representatives

### Chamber Action

**Bills Introduced:** 26 public bills, H.R. 15716-15741; and 14 resolutions, H.J. Res. 1112, H. Con. Res. 774-777, and H. Res. 1576-1584 were introduced.

Pages 33220-33221

**Bills Reported:** Reports were filed as follows:

S. 2798, to eliminate a restriction on use of certain lands conveyed to the city of Yokutat, Alaska (H. Rept. 94-1703);

Conference report on S. 3557, to authorize the appropriation of funds necessary during the fiscal year 1977 to implement the provisions of the Treaty of Friendship and Cooperation between the United States and Spain, signed at Madrid on January 24, 1976 (H. Rept. 94-1704);

S. 287, to provide for the appointment of additional district court judges (H. Rept. 94-1705);

H.R. 1143, to amend certain provisions of the Internal Revenue Code of 1954 to authorize refund of tax on distilled spirits, wines, rectified products, and beer lost or rendered unmarketable due to fire, flood, casualty, or other disaster, or breakage, destruction, or other damage (excluding theft) resulting from vandalism or malicious mischief while held for sale, amended (H. Rept. 94-1706);

H.R. 11134, to amend the Internal Revenue Code of 1954 with respect to excise tax on certain trucks, buses, tractors, et cetera, amended (H. Rept. 94-1707);

Report entitled "Finding Jobs for Workers: The Performance of the U.S. Employment Service and Its State Partners" (H. Rept. 94-1708);

H.R. 14717, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1954 to allow a participant in a qualified employee savings plan to use the nonforfeitable benefit

accrued in such plan as security for a loan from a bank or insured credit union, amended (H. Rept. 94-1709);

H.R. 13649, to amend the Second Liberty Bond Act to allow the interest rates paid on United States retirement plan and individual retirement bonds to be increased to the rate paid on United States series E savings bonds (H. Rept. 94-1710);

H.R. 15571, social security coverage through constructive filing of waiver certificates by certain non-profit organizations (H. Rept. 94-1711);

Report on "Adequacy of Executive Branch Evaluations of the Potential Impact of a New York City Default" (H. Rept. 94-1712);

H. Res. 1580, providing for the consideration of H.R. 15636, authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control (H. Rept. 94-1713);

H. Res. 1581, providing for the consideration of reports from the Committee on Rules (H. Rept. 94-1714);

H. Res. 1582, authorizing the consideration of conference reports on the same day reported or any day thereafter during the remainder of this session (H. Rept. 94-1715);

H. Res. 1583, providing for the Speaker to declare recesses (H. Rept. 94-1716);

Conference report on H.J. Res. 1096, making supplemental appropriations for the Department of Defense for the repair and replacement of facilities on Guam damaged or destroyed by Typhoon Pamela (H. Rept. 94-1917);

Conference report on H.R. 13350, Energy Research and Development Administration authorization for fiscal year 1977 (H. Rept. 94-1718);

Conference report on H.R. 11337, to amend title 13, United States Code, to provide for a mid-decade census of population (H. Rept. 94-1719);

Conference report on H.R. 13367, to extend and amend the State and Local Fiscal Assistance Act of 1972 (H. Rept. 94-1720);

H. Res. 1584, providing for the consideration of S. 3521, to expedite a decision on the delivery of Alaska natural gas to United States markets (H. Rept. 94-1921);

Conference report on H.R. 12572, to amend the United States Grain Standards Act to improve the grain inspection and weighing system (H. Rept. 94-1722);

Conference report on S. 2212, to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended (H. Rept. 94-1723).

Pages 33219-33220

**Private Calendar:** On the call of the Private Calendar, the House passed the following bills:

Cleared for the President: S. 2618, 2942, 3146, 3790, and 3757, in lieu of H.R. 1555, amended.

Sent to the Senate without amendment: H.R. 6817, 7881, 8118, 10778, 13417, 14470, 2503, and H. Res. 1555 and 1558.

Sent to the Senate, amended: H.R. 11283, 12707, 14075, 5655, 9185, and S. 1786 and 190.

Passed over without prejudice: H.R. 1424, 1560, 4480, 7909, 8771, 9592, 11858, 13583, 14693, and H. Res. 540.

Pages 33013-33017

**Private Bills:** House agreed to the amendment of the Senate to H.R. 8119 and H.R. 11199, private bills; clearing the measures for the President.

Pages 33017-33018

**Late Reports:** Committee on Rules received permission to file by midnight tonight certain privileged reports.

Page 33017-33018

**Outer Continental Shelf:** By a ye-a-and-nay vote of 236 yeas to 150 nays the House agreed to consider the conference report on S. 521, to increase the supply of energy in the United States from the Outer Continental Shelf.

Numerous points of order against the scope of the conference report were overruled.

By a ye-a-and-nay vote of 198 yeas to 194 nays with 1 voting "present", agreed to a motion to recommit the conference report with instructions to the managers on the part of the House to strike all provisions for Federal exploratory drilling.

Pages 33018-33035

**Mid-Decade Census:** House disagreed to the Senate amendment to H.R. 11337, to provide for a mid-decade census; and asked a conference with the Senate. Appointed as conferees: Representatives Henderson, Schroeder, Lehman, Neal, Spellman, Brodhead, Simon, Derwinski, Johnson of Pennsylvania, and Rousselot.

Page 33037

**Toxic Substances:** By a ye-a-and-nay vote of 360 yeas to 35 nays the House agreed to the conference report on S. 3149, Toxic Substances Control Act; clearing the measure for the President.

Pages 33037-33042

**Guam Typhoon:** House disagreed to the Senate amendments to H.J. Res. 1096, making supplemental appropriations for the Department of Defense for the repair and replacement of facilities on Guam damaged or destroyed by Typhoon Pamela; and agree to the conference asked by the Senate. Appointed as conferees: Representatives Mahon, Whitten, Sikes, Passman, Evins of Tennessee, Steed, Addabbo, Edwards of Alabama, Myers of Indiana, and Miller of Ohio. Previously, objection was heard to a unanimous consent request for the same purpose.

Page 33043

**Lobbying:** By a ye-a-and-nay vote of 307 yeas to 34 nays the House passed H.R. 15, Public Disclosure of Lobbying Act of 1976. Previously, by a ye-a-and-nay vote of 385 yeas to 1 nay the House agreed to resolve itself into the Committee of the Whole House for the Consideration of the bill.

Rejected a motion to recommit the bill to the Committees on Judiciary and Standards of Official Conduct.

Agreed to the committee amendment, as amended by:



An amendment that excludes from the definition of a lobby organization any Federal, State, or local unit of government;

An amendment that strikes the exemption provided for communications and solicitations by an organization to its membership unless through a regular publication unrelated to lobbying;

An amendment that exempts communications by an organization to Members of Congress representing the organization's principal place of business if the communication is in response to certain solicitations and communications distributed or broadcast to the general public on subjects directly affecting the organization;

A technical amendment;

An amendment that exempts from reporting requirements the making of loans to federal officers and employees at terms which are no more favorable than those available to the general public;

An amendment providing that the Comptroller General refer to the Committee on Standards of Official Conduct incidents of the giving of gifts that exceed \$100 in value to determine if acceptance is in violation of the Rules of the House;

An amendment requiring that all contributions to registered lobbying organizations in excess of \$2,500 be reported (agreed to by a recorded vote of 290 ayes to 53 noes);

An amendment requiring that organizations report on their areas of primary concern rather than 25 issues upon which the organization concentrated its efforts; and

An amendment including any records maintained by the Comptroller General under the provisions of the bill within the scope of existing public information laws.

Rejected:

An amendment that sought to include in the definition of a lobbying organization a State or local government's Washington representative who maintains a business address in the District of Columbia metropolitan area (rejected by a recorded vote of 145 ayes to 209 noes);

An amendment that sought to include in the definition of a lobbying organization all officers, directors, or employees rather than those who are specifically paid officers, directors, or employees (rejected by a recorded vote of 106 ayes to 246 noes);

A motion that the Committee rise (rejected by a recorded vote of 148 ayes to 202 noes). Earlier, the motion was agreed to by a division vote of 103 ayes to 67 noes;

An amendment that sought to include within the applicability of the bill those who meet the quarterly time provision and/or those who receive a salary;

An amendment that sought to strike the language of the \$1,250 expenditure threshold for retaining a person to lobby and provide instead a threshold of at least 20 percent of that person's time as devoted to lobbying;

An amendment that sought to include within the registration requirements the identifying of anyone who has contributed or expects to contribute \$2,500 to an organization and who spends or will spend 20 percent of his time or more lobbying during any filing quarter;

An amendment that sought to increase the reporting requirements for contributions from \$2,500 to \$5,000;

A motion that the Committee rise (rejected by a recorded vote of 129 ayes to 207 noes);

An amendment that sought to provide that tax exempt organizations and state colleges and universities would not have to report quarterly on their lobbying activities and instead would submit annual reports; and

An amendment that would have included within the reporting requirements the names of Federal officials or employees contacted by lobbying organizations.

Earlier, rejected an amendment in the nature of a substitute to the committee amendment that sought to use the number of contacts within a reporting period, rather than a percentage of time, as a threshold for defining a lobbyist organization (rejected by a recorded vote of 74 ayes to 291 noes).

Agreed to the following amendments to the amendment in the nature of a substitute:

An amendment which strikes from the reporting requirements a description of exactly 25 issues of concern to an organization;

An amendment that exempts from the reporting requirements the making of loans to Federal officers and employees at terms which are no more favorable than those available to the general public;

An amendment that adds language clarifying the definition of solicitation as not including oral or written communications by one registered organization to another registered organization; and

An amendment that requires the Comptroller General to refer the giving of gifts that exceed \$100 in value to the Committee on Standards of Official Conduct to determine if acceptance is in violation of the Rules of the House (agreed to by a recorded vote of 294 ayes to 61 noes).

Rejected the following amendments to the amendment in the nature of a substitute:

An amendment that sought to strike the language including preparing or drafting of communications as lobbying activities (rejected by a recorded vote of 143 ayes to 236 noes). Previously, this amendment was agreed to by a division vote of 29 ayes to 12 noes;

An amendment that sought to delete from the reporting requirements any communication between an organization and its own Congressional representative as long as the principal place of business is within the same State;

An amendment that sought to reduce from 5 to 2 years the amount of time organizations must retain records pursuant to the bill;

An amendment that sought to exempt from the reporting requirements on dinners those connected with an international exhibit or an event sponsored by substantial numbers of companies belonging to a trade or industry association;

An amendment that sought to add language that would include as a minimum threshold the making of 12 oral lobbying communications with a Federal officer or employee (rejected by a recorded vote of 68 ayes to 298 noes);

An amendment that sought to include certain employees of State and local governments within the definition of lobbying organizations (rejected by a recorded vote of 150 ayes to 215 noes). Previously, this amendment was agreed to by a division vote of 37 ayes to 25 noes;

An amendment that sought to require lobbyists to wear identification name tags if their lobbying activities are within 50 feet of any entrance to either Chamber of the Congress while such Body is in session (rejected by a recorded vote of 84 ayes to 271 noes);

An amendment that sought to exempt the influencing of the award of a government contract as an activity which constitutes lobbying under the bill (rejected by a recorded vote of 89 ayes to 268 noes);

An amendment that sought to include within the registration requirements the identifying of anyone who has contributed or expects to contribute \$2,500 to an organization and who spends or will spend 20 percent or more of his time in any filing quarter engaged in activities for the organization (rejected by a recorded vote of 159 ayes to 195 noes);

An amendment that sought to require the reporting of any and all individuals lobbying within 50 feet of either Chamber of Congress, including their hours and purpose of their activity (rejected by a recorded vote of 137 ayes to 223 noes); and

Rejected a motion to strike out the enacting clause (rejected by a division vote of 52 ayes to 120 noes).

Points of order were sustained against an amendment that sought to require all lobbying to be 100 feet or more from the Chamber of either Body of Congress when it is in session;

An amendment that sought to restrict to \$100 per year the amount of gifts that an organization can give to a Federal officer or employee; and

An amendment that sought to include ex-Members, former Parliamentarians, former elected officers and elected minority employees of the House as being subject to civil penalty when appearing on the House floor or in adjacent rooms as a representative of an organization required to register under the bill.

Objection was heard to a request to consider a similar Senate bill, S. 2477, and pass said bill in lieu of H.R. 15, after being amended to contain the language of the House bill as passed.

Pages 33043-33108

**Presidential Messages:** Received and read the following messages from the President:

**Budget deferrals:** Proposing deferral for higher education program of the Office of Education by \$36.9 million; and Department of Defense's military construction deferrals reflecting a net increase of \$3.9 million—ordered printed and referred to the Committee on Appropriations (H. Doc. 94-633);

**Anemia programs:** Transmitting the Fourth Annual Report on the Administration of the Cooley's Anemia Programs—referred to Committee on Interstate and Foreign Commerce; and

**Weather program:** Transmitting the annual report describing current planned Federal activities contributing to the World Weather Program—referred to Committee on Science and Technology. Pages 33167-33168

**Referrals:** Sixteen Senate-passed measures were referred to the appropriate House committees. Page 33219

**Adjournment:** Adjourned at 3:58 a.m., September 29.

## Committee Meetings

### INTERIOR APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Interior held a hearing on the National Visitors' Center.

### POSTAL SERVICE APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Treasury, Postal Service, and General Government held a hearing on Postal Service supplemental appropriation.

### ARMED SERVICES PROCUREMENT AUTHORIZATION—XM-1 TANK PROGRAM

**Committee on Armed Services:** Considered and by a roll call vote of 20 to 16, voted to table H.R. 15341, to authorize appropriations during the fiscal year 1977 and the transition quarter for procurement of aircraft, naval vessels, torpedoes and other weapons, and research, development, test, and evaluation for the Armed Forces; and

Voted to accept Hillis substitute of Stratton committee resolution on the XM-1 Tank Program.

### REBIRTH OF THE AMERICAN CITY

**Committee on Banking, Currency and Housing:** Continued hearings on rebirth of the American city with testimony from public witnesses.

Hearings continue tomorrow.

### COMMEMORATIVE MEDALS—HUD HISTORIC PROGRAMS STUDY

**Committee on Banking, Currency and Housing:** Subcommittee on Historic Preservation and Coinage met and approved for full committee action the following bills:



H.R. 15676, to provide for the striking of medals commemorating the two hundredth anniversary of the encampment of the American Army during the bitter winter at Valley Forge; and

H.R. 15209, to provide for the striking of a medal to commemorate the two hundredth anniversary of the drafting of the Virginia Statute for Religious Freedom.

The subcommittee also passed a motion to have the subcommittee study into the historic preservation programs of the Department of Housing and Urban Development published.

#### NATIONAL WORKERS' COMPENSATION STANDARDS ACT

*Committee on Education and Labor:* Subcommittee on Manpower, Compensation, and Health and Safety met and approved for full committee action H.R. 15609, technical amendments, to strengthen State workers' compensation programs.

#### INVESTIGATIVE REPORTS

*Committee on Government Operations:* Met and ordered reported the following reports:

"Administration of Public Law 89-306, Procurement of ADP Resources by the Federal Government"; and  
"Progress and Problems in Collecting Delinquent International Debts Owed to the United States."

#### NUCLEAR REGULATORY PROCESS

*Committee on Interior and Insular Affairs:* Subcommittee on Energy and the Environment continued oversight hearings on nuclear regulatory process. Testimony was heard from Nuclear Regulatory Commission Chairman Rowden.

#### U.S. POLICIES IN SOUTHEAST ASIA

*Committee on International Relations:* Special Subcommittee on Investigations held a hearing on United States policies in Southeast Asia. Testimony was heard from Arthur W. Hummel, Jr., Assistant Secretary of State, Bureau of East Asian and Pacific Affairs.

#### HUMAN RIGHTS IN ARGENTINA

*Committee on International Relations:* Subcommittee on International Organizations held a hearing on human rights in Argentina and the status of the proposed Argentine-Chile program. Testimony was heard from Father James Weeks, member, LaSalette Mission Society; a representative of the Anti-Defamation League of B'nai B'rith; and Gustavo Roca, member, Argentine Commission on Human Rights.

Hearings continue tomorrow.

#### TELECOMMUNICATIONS INDUSTRY

*Committee on Interstate and Foreign Commerce:* Subcommittee on Communications held a hearing on com-

petition in the telecommunications industry. Testimony was heard from Representative Roncalio; and representatives of AT&T; United Telecommunications; General Telephone and Electronic Corp.; U.S. Independent Telecommunications Association; National Telephone Cooperative Association; and Telecommunications International Union.

Hearings continue tomorrow.

#### MARINE MAMMAL PROTECTION ACT—200-MILE FISHERIES ZONE ACT

*Committee on Merchant Marine and Fisheries:* Subcommittee on Fisheries and Wildlife Conservation and the Environment held oversight hearings on the Marine Mammal Protection Act; and on the implementation of the 200-mile Fisheries Zone Act. Testimony was heard from public witnesses.

#### FEDERAL DRUG PROGRAM

*Select Committee on Narcotics:* Continued hearings on the Federal drug program with testimony from Bureau of Customs officials.

Hearings continue tomorrow.

#### REGULATION OF CARRIERS

*Committee on Public Works and Transportation:* Subcommittee on Surface Transportation held a hearing on regulation of carriers subject to the Interstate Commerce Act. Testimony was heard from ICC Chairman Stafford.

#### RULES RESOLUTIONS

*Committee on Rules:* Ordered reported favorably to the House the following resolutions:

H. Res. 1581, providing for suspending the provision requiring a two-thirds vote to consider reports of the Committee on Rules on the same day as reported;

H. Res. 1582, providing for the consideration of conference reports; and

H. Res. 1583, authorizing the Speaker to declare recesses during the remainder of this session.

#### RIVER BASIN MONETARY AUTHORIZATION ACT

*Committee on Rules:* Granted an open rule providing two hours of general debate; waiving clause 2(1)(6) of Rule XI and section 402 of the Budget Act; making in order the consideration of the committee amendment in the nature of a substitute and waives points of order against the substitute under clause 7, Rule XVI and clause 5, Rule XXI, and read substitute by titles, on H.R. 15636, River Basin Monetary Authorization Act of 1976. Testimony was heard from Chairman Jones and Representatives Wright, Adams, and Don H. Clausen.

## STOCKPILE DISPOSALS

*Committee on Rules:* Held a hearing but postponed action on H.R. 15081, authorizing the disposal of various materials from the national stockpile and the supplemental stockpile. Testimony was heard from Representatives Davis, McDonald, Adams, and Schulze, and Heckler of Massachusetts.

## ALASKA NATURAL GAS TRANSPORTATION ACT

*Committee on Rules:* Granted an open rule providing one hour of general debate with the time to be equally divided between and controlled by the Chairmen and ranking minority members of the Committee on Interstate and Foreign Commerce and the Committee on Interior and Insular Affairs; making in order the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and making it in order to consider without the intervention of any point of order an amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs, if offered as an amendment in the nature of a substitute for the Interstate and Foreign Commerce substitute, on S. 3521, Alaska Natural Gas Transportation Act of 1976.

## GOVERNMENT PATENT POLICY

*Committee on Science and Technology:* Subcommittee on DISPA continued hearings on Government patent policy. Testimony was heard from James A. Wilderotter, General Counsel, ERDA; and S. Neil Hosenball, General Counsel, NASA.

Hearings continue tomorrow.

## WATER QUALITY RESEARCH

*Committee on Science and Technology:* Subcommittee on Environment and the Atmosphere began oversight hearings on water quality research. Testimony was heard from EPA; Department of Interior; and Representative Vander Jagt.

Hearings continue tomorrow.

## SOCIAL SECURITY TAXES

*Committee on Ways and Means:* Met and ordered reported favorably to the House H.R. 15571, to provide that the payment of social security taxes by a nonprofit organization with respect to its employees shall constitute (for both tax and benefit purposes) a constructive filing by such organization of the certificate otherwise required to provide social security coverage for such employees if it has not received a refund or credit of such taxes, and to require the filing of such a certificate by any nonprofit organization which paid such taxes but received a refund or credit because it had not previously filed such certificate.

## TRADE ACT AMENDMENTS

*Committee on Ways and Means:* Subcommittee on Trade held a hearing on H.R. 15421, to amend the worker adjustment assistance provisions of the Trade Act of 1974 in order to repeal the requirement that workers may not be covered under certification of eligibility to apply for such assistance unless they are totally or partially separated from adversely affected employment within one year before the date of petitioning such certification. Testimony was heard from Department of Labor; Special Representative for Trade Negotiations; Representative Sharp; and public witnesses.

## Joint Committee Meetings

## NOMINATION

*Joint Committee on Atomic Energy:* Senate section ordered favorably reported the nomination of George F. Murphy, Jr., of Maryland, to be a Member of the Nuclear Regulatory Commission.

## CRIME CONTROL

*Conferees* agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 2212, authorizing funds through fiscal year 1981 for programs of the Law Enforcement Assistance Administration.

## ERDA AUTHORIZATIONS

*Conferees* agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 13350, authorizing funds for the Energy Research and Development Administration for fiscal year 1977.

## NATIONAL FOREST MANAGEMENT

*Conferees* agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 3091, to establish guidelines for improved management of the National Forest System.

## SUPPLEMENTAL APPROPRIATIONS

*Conferees* agreed to file a conference report on the differences between the Senate- and House-passed versions of H.J. Res. 1096, making appropriations for the Department of Defense for repair and replacement of typhoon-damaged facilities on Guam.

## CLEAN AIR

*Conferees* continued in an evening session to resolve the differences between the Senate- and House-passed versions of S. 3219, proposed Clean Air Act Amendments of 1976.